

Message Text

CONFIDENTIAL

PAGE 01 USBERL 01094 091147Z
ACTION EUR-12

INFO OCT-01 ISO-00 MCT-01 SY-05 CIAE-00 DODE-00 PM-05

H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02
SS-15 ICA-11 IO-13 /085 W
-----049926 091217Z /53

R 091125Z MAY 78

FM USMISSION USBERLIN
TO SECSTATE WASHDC 6796
AMEMBASSY BONN

CONFIDENTIAL USBERLIN 1094

E.O. 11652: GDS
TAGS: PGOV, BQG, AKB, PORS
SUBJECT: REQUEST TO PERMIT ARMING OF PROSECUTORS AND JUDGES AT
LORENZ KIDNAPPING TRIAL IN BERLIN

REF: BONN 8474

1. WE AGREE FULLY WITH EMBASSY'S PROPOSED COURSE OF ACTION
AND URGE ITS SUPPORT BY THE DEPARTMENT. WE WILL NOT RAISE
THE MATTER AGAIN IN BERLIN PENDING OUTCOME OF THE TRIPARTITE
MEETING IN BONN; WE FEAR THAT AN ADDITIONAL BERLIN DISCUSSION
COULD AT THIS STAGE CREATE CONFUSION. WE WILL RESEARCH OUR
QA FILES FOR RELEVANT INFORMATION, ALTHOUGH WE DOUBT THAT WE
WILL FIND MUCH THAT BEARS ON THE SPECIFIC POINT OF ALLOWING A
SMALL NUMBER OF ADDITIONAL OFFICIALS TO BEAR ARMS IN BERLIN.
RE SELECTIVITY CRITERIA, WE DOUBT AT FIRST GLANCE THAT THERE
WOULD BE MUCH TO BE GAINED BY CONSTRUCTING AN ARTIFICIAL
EDIFICE PERMITTING CATEGORIES TO BE REGARDED AS OFFICIALS UNDER
ACC ORDER NO. 2. WE BELIEVE THAT THIS MAY BE A CASE WHERE
THE ALLIES SHOULD SIMPLY EXERCISE SOVEREIGNTY AND DECREE
THAT THESE OFFICIALS, BECAUSE THEY ARE ESPECIALLY ENDAN-
GERED, WILL BE PERMITTED TO BEAR ARMS UNDER ALLIED LEGIS-
LATION IN FORCE HERE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USBERL 01094 091147Z

2. JUSTICE OFFICIALS HERE, WE NOTE, ARE ALSO CONCERNED
ABOUT THE SECURITY OF THE ASSIGNED DEFENSE COUNSEL,
THE SO-CALLED PFlichtverteidiger. THE JUNE 2 DEFENDANTS
ARE INTENT UPON USING ANY MEANS AT THEIR DISPOSAL TO
PREVENT THEIR TRIAL FROM PROCEEDING, AND THEY HAVE APPAR-
ENTLY RESORTED TO THREATENING THE DEFENSE COUNSEL ASSIGNED
TO THEM BY THE COURT. IN RECENT DISCUSSIONS, JUSTICE

OFFICIALS HAVE POSED OUT LOUD THE QUESTION OF HOW FAR
THE ASSIGNED DEFENSE COUNSEL ARE OBLIGATED TO CARRY OUT
THE TASK ASSIGNED TO THEM IN THE FACE OF THREATS OF
BODILY INJURY TO THEMSELVES AND THEIR FAMILIES. THE
POINT MAY COME WHEN THE POLICE CONSIDER IT NECESSARY TO
PROVIDE THEM WITH THE KIND OF PROTECTION GIVEN TO ENDANGERED
PERSONS.

3. LIKE EMBASSY BONN, WE BELIEVE THE ARMING OF THIS
SMALL NUMBER OF PERSONS ON A VOLUNTARY BASIS IS
ESSENTIALLY A PRACTICAL POLITICAL QUESTION. THE LEGAL
ASPECTS APPEAR MANAGEABLE. ON THE PRACTICAL SIDE, WE
WOULD EXPECT TO OFFER OR PERHAPS REQUIRE TRAINING IN
WEAPONS' USE BY SELECTED POLICE EXPERT TO ANY JUDGE OR
PROSECUTOR WHO WISHED TO BE ARMED. GEORGE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: KIDNAPPING, SMALL ARMS, PHYSICAL SECURITY, POLICIES, JUDGES, TRIALS, TERRORISTS, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USBERL01094
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780196-0227
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780576/aaaacngh.tel
Line Count: 77
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 4afeb0a1-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 BONN 8474
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 01 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2743030
Secure: OPEN
Status: NATIVE
Subject: REQUEST TO PERMIT ARMING OF PROSECUTORS AND JUDGES AT LORENZ KIDNAPPING TRIAL IN BERLIN
TAGS: PGOV, PORS, WB, US, BQG, AKB
To: STATE BONN
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/4afeb0a1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014